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TOWNSEND and TOWNSEND and CREW LLP

By: 
Jodie Rivas

Application No.: 09/724,567
Applicant: Dale B. Schenk
Filed: November 28, 2000
TC/AU.: 1600/1647
Examiner: Christopher Nichols
Docket No.: 015270-005911US
Customer No.: 20350

Confirmation No.: 6104

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The undersigned is an authorized representative of Neuralab Limited (hereinafter "ASSIGNEE") and attorney of record in the above-identified patent application. ASSIGNEE is the assignee of total interest of:

1. Application No. 09/724,567 (the "'593 APPLICATION")
2. Application No. 09/724,593 (the "'567 APPLICATION")

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ASSIGNEE is the exclusive owner of the '567 APPLICATION and the '593 APPLICATION. ASSIGNEE disclaims the terminal part of any patent granted on the '567 APPLICATION which would extend beyond the last day of the full statutory term of the '593 APPLICATION.

Further, ASSIGNEE agrees that any patent granted on the '567 APPLICATION shall be enforceable only for and during the period that the legal title to the patent granted on the '567 APPLICATION shall be the same as the legal title to the '593 APPLICATION and agrees that this Terminal Disclaimer shall run with any patent granted on the '567 APPLICATION and shall be binding on the grantee or its successors or assigns.

In making the above disclaimer, ASSIGNEE does not disclaim the terminal part of any patent granted on the '567 APPLICATION that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the '593 APPLICATION, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

This disclaimer is directed to patents issuing from the indicated '567 APPLICATION only and is not intended to act as a disclaimer of any part of the statutory term of any patent issuing from a divisional or continuation application that claims priority to either the '567 APPLICATION or to use the term of such a patent issuing from a divisional or continuation application in calculating the term of the present '567 APPLICATION.

The assignment documents evidencing title referred to above have been reviewed by the undersigned, and it is certified that title is in the ASSIGNEE.